

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR05-391-RSM
)
Plaintiff,)
)
v.)
) DETENTION ORDER
VALENTINO GUY,)
)
Defendant.)
_____)

Offense charged:

Conspiracy to Distribute Controlled Substances

Date of Detention Hearing: April 18, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has been indicted , together with twenty-five co-defendants, on a charge

01 of Conspiracy to Distribute Controlled Substances, which is alleged to have transpired over a five
02 year period. The AUSA proffers that defendant is the source of supply of cocaine to the main
03 distributor in the conspiracy case. As a ten-plus year drug offense, there is a rebuttable
04 presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. §1342(e).

05 (2) At the time the Indictment was filed, a bench warrant was issued for the defendant.
06 In an interview with Pretrial Services, defendant acknowledged that he had been eluding arrest
07 since the bench warrant was issued in November 2005. The AUSA proffers that the Marshals
08 Service engaged in extensive and aggressive efforts to locate defendant at that time. He self-
09 surrendered on April 17, 2006.

10 (3) Defendant has a number of different residences at which he has resided on an
11 intermittent and sporadic basis. He owns two firearms but told Pretrial he does not know the
12 current location of the firearms at this time. He attorney reported the firearms are in a locked safe
13 in Eastern Washington. Defendant reports no employment since July 2005 and only sporadic
14 employment before that. The AUSA proffers that the defendant owns a home in Mexico although
15 the defendant denies this.

16 (4) Nothing in the record effectively rebuts the presumption that no condition or
17 combination of conditions will reasonably assure the appearance of the defendant as required and
18 the safety of the community.

19 It is therefore ORDERED:

20 (1) Defendant shall be detained pending trial and committed to the custody of the
21 Attorney General for confinement in a correction facility separate, to the extent
22 practicable, from persons awaiting or serving sentences or being held in custody

01 pending appeal;

02 (2) Defendant shall be afforded reasonable opportunity for private consultation with
03 counsel;

04 (3) On order of a court of the United States or on request of an attorney for the
05 Government, the person in charge of the corrections facility in which defendant is
06 confined shall deliver the defendant to a United States Marshal for the purpose of
07 an appearance in connection with a court proceeding; and

08 (4) The clerk shall direct copies of this Order to counsel for the United States, to
09 counsel for the defendant, to the United States Marshal, and to the United States
10 Pretrial Services Officer.

11 DATED this 18th day of April, 2006.

12 
13 Mary Alice Theiler
14 United States Magistrate Judge
15
16
17
18
19
20
21
22